PROCLAMATION.

The closing scenes of a most eventful year bring with dence the tribute of our thanksgiving and praise. If, heretofore, such times have been observed, in anywise, ture blennial, and limiting them to the term of rate, on the principal specified in such certifi-In obedience to the demands of custom, rather than as a sixty-one days, the condition of parties in this cate of stock, and the deficit, with six per grateful effering to God, the signal mercles and kindness State during the last four years, and the public centum interest per annum from the time it bewe have, as a nation, been made the recipients of during excitement incident to a state of war, unfitting came due, the State shall and will make up and the present year, should surely awaken us to a newer and fuller realization than ever of the reverence and gratitude due to Bim who holdeth the destinies of Nations in His hands.

Our long and bloody civil war is ended, and Peace again smiles upon the land; and the end shows that Got

guiding the councils of the nation. every branch of labor and industry have been ample. | time spent on those unperfected measures might | Secrest, Chairman of a Special Joint Committee Neither famine nor pestilence have been known in our not be lost to the public, an act was passed pro- to whom the subject had been referred. He acborders, and although we are called upon to lament the | viding that the business of any regular or special | companied the bill with a report from the Comloss of many of our brave soldiers who have given their session of the General Assembly, on the calen- mittee, from which I extract the following pas-Byes as a sacrifice for their country, yet the return of so dar or files of either House, and remaining un- sage: many thousands to their homes from bloody fields, made | finished at the expiration of such session, shall, "By reference to the tables appended to the Muetrious by their valor, is a source of joy to all. The at the next succeeding special session of the second proposition of Mr Butler, it will be seen fatere is fall of hope for the enduring peace and prosperity of the State, and illimitable prospects for national in the same order in which such business stood is a moderate estimate at an of twenty-five cents progress, power and glory, are spread out before us.

poor and needy around them.

In witness whereof, I have berennto set my hand at the Executive Chamber, in Indianapolis, this 13th day

> OLIVER P. MORTON. Names Tarsies, Secretary of State.

The Special Session Message.

The Governor having failed, in his proclamation summoning the special session of the Legislature, to specify any reason for its assembling, there seems to have been considerable want of interest manifested, and still seems is stocks upon which interest is paid at these millions of dollars per year, and carrying to be, in it, so much, indeed, that we fear, but rates. hope the contrary, that it will, so far as the public interest is concerned, be a failure. Several of the members are absent, and the aton account of other engagements. The House continued the organization of

the regular session, and the Senate organized anew. The message of the Governor has been Governor's own admission, and as the Journal, | per cents. his organ, had shown long ago, no haste was required in this matter, and no other subject before the Legislature was of moment enough to justify the expense of an extra session. We candidly suspect that, as the Governor had concluded to spend his gubernatorial term in a pleasant health-restoring European tour (we wish we were able to take such an one), political faith and practice they should adhere to while he might be absent, and publicly to present the chart of duty and the mantle of authority to the political Joshua who is to command the Republican hosts during the foreign travels of his Excellency. This is all [288] are two and a half per cents. well enough, though the parting entertainment besomewhat expensive. The Governor recommends the vesting of the various funds of the State in the bonds of the State, which, of course, per cent, in a fair settlement, at that rate of intwenty years as was reasonably convenient of Indiana is irrevocably pledged " of interest on the part of the State, may, perhaps, make a speculation for somebody in raising the price of the bonds, if in no other way, at the expense of the tax-payers of Indiana. This is a subject requiring fur-

If the bonds are suffered to remain as they are, the State pays but two and a half per cent. He recommends an enumeration of the ened offenders. Such ought not to be sent among old and experienced criminals, nor too the law creating it, which requires that a differ- The new Constitution, which was framed in Home is also advised.

Negro testimony and negro public schools are recommended. On account of the decision in the case of Pepper et al. vs. The State, in the jurisdiction of grand juries is advised; the Morgan raid damages, justly compliments the brave Indiana seldiers, recommends the

the White Water Valley bills, we suppose they did not form any consideration with the Executive for calling the Of course, the hasty perusal we have given the message does not enable us to comment so critically upon parts of it as we may desire to to do hereafter. It leaves upon us the impres- 055,430. sion that the extra session will be a failure. is reported, the Governor is about to leave for Europe on account of his health, we know of no better opportunity we shall have for so a pleasant trip and a speedy return, with herself unable to pay the interest on her in vision was introduced.

State Items. SUICIDE-A hired girl by the name of Anna girl is supposed to have been the victim of a granted to the State to aid in its construction, the State debt is sooner paid off." libertine's wiles.

cently in appearance, it will soon be a very sary to complete the canal to Evansville, esti- property should pay it." creditable paper, and an improvement on the Sentinel, which it displaces.

Court, on motion of Samuel Bryan, Esq., Judge samuel A. Bonner was called to the chair, and on motion of Col. Gavin, Cortez Ewing was chosen Secretary.

Resolved, By the members of the Greensburg Bar, and officers of said Court, that we tender to him our profound respect for the ability, dignity and impartiality with which volving many details which it is not necessary to According to a calculation made, if this system understanding that existed in the Legislatures of he has presided; and that in retiring from his give here, and I shall only present a very brief of taxation shall be continued, in eighteen 1846 and 1847, and in the convention of 1850 Judicial station, he carries with him our high- outline est regard for his purity and uprightness as a The Act of 1846 was, in many important re- The Committee of which I am Chairman, hav- but that she is not bound to make provision

Resolved, That the proceedings of this meetting be spread upon the order book of the lity for one half the principal and interest of the tion providing that the twenty-five cents on the faithful performance of her contracts, and

CORTEZ EWING, Secretary.

Which were unanimously adopted, and on motion of Charles W. Sherman, Sheriff, were in these words: ordered to be published in the Greensburg Chronicle, and Indianapolis Journal and Her-SAMUEL A. BONNER,

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and House of Representatives: The Constitution provides that, if in the opin- of interest of two per centum, then and in that left with the Legislature. They are willing to The Auditor of State has furnished me a state- render it proper that there should be a comion of the Governor the public welfare shall re- case the Statz shall only be required to pay, up earry out in good faith the arrangement made ment in which he estimates that there will be in plete and thorough revision of the Act for the quire it, he may at any time, by proclamation, to said first day of January, 1853, such rate of with the bondholders of the State, and to pay the in the Treasery, on account of the State relief of the families, seamen and call a special seesion of the General Assembly interest as the par funds in her treasury, derived twenty-five cents tax upon every one hundred Debt Sinking Fand, on the first day of May marines, and sick and wounded soldiers in hosthem the appropriate time to offer up to Divine Provi- The provision of the State from the taxation aforesaid, shall enable her to dollars valuation, until the State debt is extin- next, the sum of one million dollars (\$1,000,- pitals, approved March 4:h, 1865. Difficulties

> as it did, to some extent, the minds of men for pay to the holders of such certificates on or by Howe's amendment, on the ground that taxes There is due also to the Old Sinking Fund a contemplated by the act, I regret to say his subject in my regular message delivered at the contemplated by the act, I regret to say his subject in my regular message delivered at the the calm consideration of subjects of ordinary the first day of January, 1853." would seem to demand.

has been with us, giving victories to our armies, and many important bills were introduced, but failed be levied and continued for a series of years. in the different stages of their progress for want. The act, of which this section is a part, was Our harvests have been plenteous, and the rewards of of time to perfect and pass them. That the reported to the Legislature by the Hon. Henry calendar of the House in which it was pending, at the rate of \$5,000,000 a year in value (which at the termination of such regular or special on the hundred dollars, and seventy-five cents In view of these many blessings, and in compliance session, and shall be taken up and disposed of poll, will afford the means of paying the State not only with custom, but the convictions of duty, I do in the same manner it might have been taken expenses, absorbing all the six per cent. treashereby appoint Thursday, the 7th of December next as up and disposed of at such preceding regular or ury notes, and paying two per cent. interest a day of Thanksgiving and prayer to Almighty God for special session. The considerations before men- upon the public debt, up to the year 1853; and his mercies, and earnestly recommend to the people of tioned, the fact that the unfinished business of from and after that time paying the State ex-Indiana, that, laying aside their ordinary avocations, the last session upon which much intelligent la- peuses and two and a half per cent upon the enthey assemble themselves together in their usual places | bor has been bestowed, could only be saved by | tire funded debt of the State, including back inof worship, and observe that day in the manner desig- re-convening the General Assembly in special terest and deficienties of interest; and not only nated, bringing to God the incense of grateful hearts, session, and the belief that measures of vital so, but that the proceeds of the same tax would. and not forgetting to share their abundance with the importance demanded legislative action before in addition, produce an annually increasing sur the time fixed for the next regular session, have plus, to be set apart for the absorption of the

> ance of which you are now assembled. The amount of the public debt of the State From this it clearly appears to have been conconsisting of two and a half and five per cent | templated by the Committee that a continuing registered stocks is seven million four hundred tax of twenty five cents on every one hundred and eighteen thousand nine hundred and sixty dollars, and seventy five cents poll, was to be dollars and fifty cents (\$7,418,960 50). Of assessed for the payment of the principal and this amount the sum of five millions three hun interest of the debt, and reference is made to dred and forty-two thousand five hundred dol certain tables which had been prepared by Mr. lars (\$5,342,500) is five per cent., and the sum Butler, going to show what would be accomof two millions seventy six thousand four hun- plished by such a tax, estimating the increase of dred and sixty dollars and fifty cents (\$2,076, the polls to be six thousand per year, and 460 50) is two and a half per cent stock; that the increase of taxable property at six

Of these stocks the board of commissioners Butler's calculation, however, turned out to be of the sinking fund have purchased and now greatly erroneous, inasmuch as the ordinary exhold the sum of four handred and forty six penses of the State Government were estimated thousand six handred and seventy-two dollars too low, and the increase of taxable property tendance of others, we fear, will be irregular, and sixty-seven cents (\$446,672 67) of the five from 1846 to 1864, averaged nearly twenty-one per cents, and the sum of fity-one thousand two million of dollars, instead of only six millions, hundred and seventy two dollars and fifty cents per annum. On the next day after the passage

and now holds seven hundred and eighty eight ing a general levy, for State purposes, of sevendelivered, and fails, as we are bound to say, thousand and thirty five dollars (\$788,035) of ty-five cents poll, and twenty-five cents on each to give any sufficient reason for the call of the the five per cents, and ninety-six thousand nine one hundred dollars worth of property. extra session. As the debt is not due, by the hundred dollars (\$96,900) of the two and a half In the supplementary act of the next year,

The aggregate amount of what the State tained in the 14th section: holds, through these two funds, is one million "And whereas, doubts have been suggested dred and seven dollars and sixty-seven cents (foreigners holding bonds,) in respect of the matand one hundred and forty-eight thousand one doubts may operate prejudicially to the opera-(\$148,172 50) of the two and a half per cents; it is therefore expedient that the same be re-in all one million three hundred and eighty-two moved. Now, to demonstrate the good faith of he desired, before parting from his people, to seventeen cents (\$1,382,880 17.) leaving out- such doubts as aforesaid, and with the view to appear once more before them, upon an oceasion standing in the hands of the creditors of the create general confidence in the arrangement that would enable him to, and justify him in. State the amount of six millions thirty-six made in the said recited act by the State for the giving them his counsel and direction as to the | thousand and eighty dollars and thirty-three | liquidation of its debt:

is indirectly advising the raising of the interest upon surrender in the city of New York, in books and the payment of the principal moneys and in on the bonds, and increasing the burdens of provided for that purpose by the Agent of terest, on the certificates and stock intended to the State. If the creditors, as the Governor | State there resident, by endorsement thereon, be created pursuant to the said act, and this act, says, took the bonds paying two and a half and according to such other rules and forms as and all certificates and evidences of the title

indebtedness sprang, or something contained in principal sum. guage. The naked legal effect of the instru- | contains the following provision :

22 Ind., a case which has just been sustained money, and thus stop the payment of the inter- time remain in the Treasury derived from taxain the New York Court of Appeals, the Gov- est, but that the money was to be paid at some ation for general State purposes after the payernor properly recommends legislation on the time after the end of the twenty years according ment of the ordinary expenses of the governsubject of official bonds. The restoration of to the pleasure and convenience of the State But ment, and of the interest on bonds of the State, also that we be represented at the Paris the principal sum absolutely. The construction bly, to the payment of the principal of the principal of the principal of the principal of the payment of World's Fair, in April next. The mes- I have heard contended for, that the State may he debt. sage speaks favorably of the establish- defer the payment of the principal twenty five, This provision evidently contemplates the lishment of a Normal School, favors paying fifty, or one hundred years, or in fact forever, speedy payment of the public debt, and the exfifteen to twenty cents on the one hundred dolmatter, the enumeration contemplated by trial of Jeff. Davis, is against negro suffrage at ment, above quoted, which solemnly pledges the surplus to the liquidation of the public debt. present, and favors admitting Southern States | good faith of the State for the payment of the | To show the views entertained by the Comwithout that condition being required, but in- principal as well as the interest. This solemn mittee who prepared the section, I will present of the public debt." sists on amending the Constitution so as to de- pledge would be a nulity if the State was at in full the report by which it was accompanied liberty to defer the payment of the principal for- when it was laid before the Convention:

embediment of the general views, every day stock, or in the history of the whole transaction, sale of any of the public works belonging to the the stocks thus purchased was to be paid semiexpressed, of the Conservative wing of the Re- showing the intention of the parties as to the State, and from the net income thereof, and also annually to the Commissioners, who were to inpublican party. As he makes no reference to time when the principal should be paid, or point- any surplus that may at any time remain in the vest the same in similar stocks, and thus create ing to a period beyond which the State would treasury derived from taxation for general State a Sinking Fund for the ultimate redemption of

have no right to defer its payment. debted upon bonds issued and sold for purposes tion, and having come to the conclusion that the for State purposes for the years 1857 and 1858, special session; and, we repeat, no suffi- of internal improvement in the sum of eleven entire debt of the State will be paid within cient reason is given for its being summoned. | millions and ninety thousand dollars (\$11,090,- fifteen years, by a continuation of the rate of 000.) On these bonds the interest had not been taxation prescribed by law, have directed me to Auditor of State to sell the stocks which had paid since 1841. The interest due and in ar- report the accompanying section, to be engraften been purchased by the State Debt Sinking Fund thousand four hundred and thirty dollars (\$3, ed from the further consideration of the subjects

taken together, constitute what is generally a substitute, but additional: known as the " Butler Bill." By the compromise were transferred, the canal in perpetuity, and the lands in fee simple, to certain trustees in lowing language: -The Teerre Haute Express, of yesterday, trust for the bondholders, in absolute payment mated at eight hundred thousand dollars

RETIREMENT OF JUDGE LOGAN. - At a meet- on their part, and the canal so completed. For from Gibson (Mr. Hall), whether the section ing of the members of the Greensburg Bar, and the other half of the debt, principal and interest, now under consideration provides that any overofficers of the Court, called at the adjournment the State was to issue to the bondholders certi plus of the taxes arising from the imposition of of the Fall Term, 1860, of the Decatur Circuit ficates of indebtedness or stock. Upon such twenty-five cents tax on the hundred dollars tingences and necessities of war override all othstock issued for the principal sum, the State valuation, shall be applied to the definite object was to pay interest at the rate of five per cent of liquidating the principal of our outstanding the strict performance of a contract, it would per annum, semi-annually. The interest in ar- State debt after the payment of the interest on not subject a State to the imputation of being jails should, in any instance, be used as places Whereupon the Chairman appointed B. W. rears from 1841 to 1842 was runded, and included with without and Judge John M. Johnson a commitrears from 1841 to 1847 was funded, and inter- the debt?" see on resolutions, who reported the following: st the rate of two and a half per cent. per an-"WHEREAS, the Honorable Reuben D. Lo- num from January 1, 1847, to January 1, 1853, with our bondholders, was under the acts of gan, Judge of the Fourth Judicial Circuit of this State, is about retiring from office; there- stocks were issued bearing interest at the rate of every hundred dollars worth of taxable property. two and a half per cent per annum from the let and seventy-five cents poll tax, were pledged liberty to postpone the payment of it indefinitely day of January, 1853, payable semi annually. for the payment of the principal and interest of that to do so would be to violate the fair con-The arrangement was a complicated one, in- the public debt until it shall be entirely paid, struction of the certificate itself, and the explicit

Judge, and for the courtesy he has manifested spects, modified and amended by the supple- ing charge of the subject, believing that there to pay the debt within such reasonable time aftoward us as members of the Bar, and officers mentary Act of 1847, and the two together con- was a propriety in placing it beyond the power ter the twenty years as may comport with the stitute the basis and consideration upon which of the Legislature to violate the pledged faith original understanding of the parties, the ability the creditors released the State from all liabi- of the State, instructed me to introduce a sec- and condition of the State, as left by the war,

The first section of the Act of 1846 concludes and seventy-five cents poll tax, should be an subject is therefore commended to your careful "And provided further, That if the revenues section was laid upon the table, and, I think, whatever it shall be, may be announced before of the State, up to the first day of Jacuary, inconsiderately. I think the matter should be your final adjournment, so that the State and her 1853, to be derived from a property tax of placed beyond the power of change by the Leg-creditors may know what they have to depend twenty-five cents on every one hundred dollars islature."

of value, and a poll tax of seventy-five nepts. Mr. Borden then replied as follows: causes, be sufficient, after defraying the current the wish of the people I have been sent here to and eighty dollars and thirty-three cents (\$6, the major part of the Volunteers of this State, expenses of the Government, to pay said rate represent. They do not want the subject to be 036,080 33; rendering the regular sessions of the Legisla- do; which shall be paid and distributed, pro guished; and they desrie that a clause shall be 00

legislation, have all contributed to prevent the | It will be perceived that this section does not, conclusion used these words: adoption of legislative measures which the pro- in direct terms, make a levy of twenty-five cents gress of the State and the welfare of the people on every one hundred dollars of value, and of seventy-five cents on each poll, but it evidently At the last session of the General Assembly | proceeds upon the hypothesis that such a tax shall

perform their part of the contract.

Mr. Ritchie then moved to recommit the sec-

on each poll-shall be continued until the in

"I would remark that this is a transcript of

some fifteen or eighteen years the public in-

made this agreement with our bondholders in

debtedness of the State is fully liquidated."

Mr. Ritchie then said.

into the Constitution.

lars from 1853 to 1861.

In 1857 the Legislature failed to levy any tax

and for those two years no revenue was collect-

ed. In 1859 an act was passed instructing the

to the Board of Commissioners of the Sinking

Fund, in order to raise money to defray the or-

dinary expenses of the State Government, and

to supply the deficencies in revenue growing

sioners of the Sinking Fund refused to act upon

struction, sold the stocks in open market and

out the money into the Treasury. At the reg-

ular session in 1861 it was enacted, that for the

year 1863, and every year thereafter, five cents

property for the reduction and ultimate extinc

ion of the public debt, to be used by the State

Debt Sinking Fund Commissioners as before

described, but at the extra session in the same

year, an act was passed diverting this tax, and

that for the years 1861 and 1862, from the State

Debt Sinking Fund, to the payment of the War

provision, however, that if the holder of the

War Loan Bonds would not sell them to the

proceeds of the tax should be invested in the

stocks created by the Butler Bill, according to

the terms of the original act creating the State

The legislative history, it must be admitted,

is rather curious and contradictory, and comes

short of performing the obligations which the

For this non-performance, up to 1861, a valid

excuse can hardly be found, but for what has

er considerations, and if they cause a failure in

State in 1846 entered into with her creditors.

Debt Sinking Fund.

wanting in good faith.

caused me to issue the proclamation, in pursu- principal of the public debt--which surplus for the single year, 1860, would be about \$140,000." the calculation as far down as 1860. Mr. (\$51,272 50) of the two and a half per cents. of this bill, and apparently in pursuance of its The State Debt Sinking Fund has purchased provisions, the Legislature passed an Act mak-

1847, the following provibion will be found contwo hundred and thirty-four thousand seven hun- on the part of some such last mentioned persons (\$1,234,707 67) of the five per cent. stocks, and | ters hereinafter mentioned or referred to, which hundred and seventy-two dollars and fifty cents tions contemplated by the said recited act, and thousand eight hundred and eighty dollars and the State of Indiana, and for the removal of all

cents (\$6,036,080 33), of which four millions "Be it enacted, That the tolls, revenues and one handred and seven thousand seven hundred profits of the said Canal and its appurtenances. and ninety-two dollars and thirty three cents present and future, and the moneys to arise and (\$4,107,792 33) are five per cents, and one mil- be collected by and from the sale of the land non nine hundred and twenty-eight thousand and premises contingous thereto, and in the said two hundred and eighty eight dollars (\$1,928,- act more particularly mentioned and described, and the personal taxes to be levied towards The face of the stock or the certificates of in- the payment of the said debt, as in the said ebtedness provide that "this stock is releem act also mentioned, and the receipt and able at any time after twenty years from the application thereof for that purpose, as 19th day of January, 1846, at the pleasure of in the same act is also provided, shall the State, and until redeemed is transferable remain and be inviolate and in full force. are or may be prescribed for that purpose. And thereof respectively, shall be and continue effecfor the payment of the interest and redemption total and inviolate by the means aforesaid, until Butler and the Legislature in 1846, for the aver- vital to the existence of the Legislature itself. terest, payable as soon after the expiration of of the principal aforesaid the faith of the State the objects and purposes of the said act, and

this present act shall be fully accomplished." for the State, then that was their contract, and any voluntary increase of that rate 19th day of January next, and the question first were the seventy-five cent poll and twenty-five num, instead of six millions. And a calculation of Senators and Representatives, based upon o be considered is whether these stocks fall cents on the one hundred dollars worth of propdue at that time, and whether the contract crty, and by this section the good faith of the made by the State requires that payment shall State is solemnly pledged that the said taxes be made on that day. By some it has been shall be maintained inviolate and in full force, the first day of January, 1866, a surplus of four Allow me earnestly to call your attention to urged that the words, "at the pleasure of the and the proceeds thereof faithfully applied to State," are to be treated as surplusage, and the the payment of the principal and interest of the money held to fall due precisely at the end of stocks created in pursuance to the act of 1846. the twenty years. In support of this view it is The substance of this pledge, and of the underargued that because a State cannot be compell- standing entertained by the Legislature on the ed to pay her debts by legal process, the pay- one hand and the bond-holders on the other, may easy to show that if this surplus had been ap- tionment last made by the General Assembly ment will in all cases be at "the pleasure of the be briefly stated as this : That a tax of seventyinhabitants; homes for juvenile offenders, an | State " I fail to perceive the force of this, and five cents on each poll and twenty five cents on institution demanded, we think, by the rapid | must hold that the language in question means | each one hundred dollars of property, should be increase of crime, which is filling our peniten- just what it says, that the State may consult continuously levied, and that afterflefraying the 19th day of January, 1866. tiaries and jails to overflowing, as well as by her own convenience as to the time of making ordinary expenses of the State Government, and justice and good policy toward young, unhard- payment unless there is something in the history paying the interest on the debt, the surplus pro-

severely disgraced. A Soldiers' and Seamen's ent construction should be put upon the lan- 1850, three years after the passage of this act, ment, if not modified by history or provisions of Section 2, Article X: "All the revenues dethe statute creating it, I take to be this: That rived from the sale of any of the public works

until the end of the twenty years the State has belonging to the State, and from the net annual no right to require the creditors to take their income thereof, and any surplus that may at any this pleasure of the State must be reasonably other than bank bonds, shall be annually apexercised, so as not to deteat the payment of plied under the direction of the General Assem-

provided the interest is promptly paid, cannot be istence of an annual surplus to arise from genmaintained; for that would be to defeat the ope- eral taxation for State purposes, and imperaration of the concluding sentence of the instru- tively commands the annual application of such

purposes, after the payment of the ordinary ex- the stocks created by the Butier Bill. On the 1st of July, 1846, the State was in penditures, have had the same under considerarears amounted to three millions fifty five in the new Constitution, and ask to be discharg-

embraced in said resolutions." These bonds were issued between the years | This report was submitted by Judge Hall, of but we hope it may not be utterly so. If, as 1832 and 1842, were of different denominations, Gibson county, one of the most eminent lawyers out of the failure to levy and collect taxes for and were to run for twenty-five and thirty years, of the State, and is so explicit in regard to the the preceding two years. This act being held and bore interest at the rate of five, six and understanding of the Committee that the tax void for want of a title, the Board of Commisseven per centum per annum, payable semi-an- was to be continued, and that it would pay the qually, for which there were coupons signed debt by 1865, that it leaves no room to doubt as it, but the Auditor of State treating it as an indoing than now, in all sincerity, to wish him and attached to the bonds. The State finding to the purpose for which the Constitutional pro-

perfect restoration to health and to the public debtedness accepted of a proposition made by Afterwards, on the 25th of January, 1851, this her creditors, the details of which will be found provision came up in the Convention for conembodied in the Act of January, 1846, and the | sideration, when Mr. Howe, of Lagrange, offered | be levied on each one hundred dollars worth of supplementary Act of January, 1847, which, to amend by adding the following clause, not as

"That a specific tax of fifty thousand dollars, Conway, who had been living in the family of and settlement as finally concluded in the sup- with an annual increase of five per cent., be Robert Holt, of Delphi, committed suicide a plemental Act of 1847, the Wabash and Erie levied for twenty five years, and expended each day or two since, by taking poison. The poor canal, together with the lands which had been year in the purchase of our State bonds, unless In support of his amendment he used the fol-

"It is very probable that the present rate and and discharge of one half the principal and ac- method of taxation guaranteed in what is com- State at rates not exceeding their par value, the The Daily Indianapolis Herald comes to us crued interest of the debt, which half thence monly called the Butler Bill, will be observed; enlarged and in a new dress. It is now one of forward and forever ceased to be a liability but even if that taxation affords a fund for the the most tastefully arranged and best printed against the State or a charge upon her revenues. payment of the debt, this will enable us to pay papers in the State. If it improves in senti- The bondholders upon their part agreed to make it off sooner. Besides our public debt was conent and loyalty as much as it has done re-

Mr. Borden then said: \$500,000), which condition was complied with "I desire to make an inquiry of my friend

In answer to this question, Judge Hall said: In view of the whole matter as I have present ed it, the just conclusion seems to be this, that while the State is bound to pay the principal of years the entire public debt will be paid off. as shown by their several enactments and debates; each one hundred dollars of taxable property, the preservation of her good name. The whole nually assessed until the debt was paid. This considertion, in the hope that your, conclusion,

Ax before shown the amount of these stocks shall not, by reason of the taxes being paid in "Sir, on a previous occasion, I desires that outstanding in the hands of our creditors and to The restoration of peace and the consequent six per centum treasury notes, or from other this should be done; because I know that this is to provided for is six millions thirty six thousand discharge from the service of the United States

Mr. Stevenson then followed, opposing Mr. hundred thousand dollars (\$600,000). also a provision requiring the bondholders to showing that the then existing rate of taxation would pay the debt in fifteen or sixteen years, if

reference to the payment of the bonds they held, suffer by the conversion. which constituted the public debt. The adoption of a proposition of this kind will not only cated, expensive and anomalous. The State is lief that the altered condition of the country deincrease the credit of the State, but do away a debtor, owing large sums of money, upon mands. with any suspicion that we have any disposition | which she pays interest semi annually, and into repudiate the contracts we have made. We curs all the expenses thereto necessarily incident owe it to our constituents that we should such as the keeping of an agency in New York, endeavor to erase the unjust aspersions cast the purchase of exchange, and other items of upon them in relation to this matter. And it is cost too numerous to mention. She is at the due also to our bondholders that we should re- same time a lender of money, and maintains an peat here, in this Convention, the action of the expensive machinery to carry on that operation, Legislature in the arrangement made, by which, and is subject, of course, to occasional losses inin some fifteen years, we will rid our State of

cident to all money lenders. If therefore, the trust funds of the State Here the debate ended, and the original seccould be invested in her own stocks it would tion was adopted, both amendments being laid greatly cheapen and simplify her financial system, and restore to its administration that pub-I have referred particularly to this debate to lic confidence, the absence of which has long

show the views entertained by the Committee been felt. reporting the Constitutional provision, and the | Should the assets of the Sinking Funds understanding of the Convention at the time of converted into our public debt, as I have sugits adoption. It seems clearly to have been gested, the whole debt of the State left outnderstood by the Convention that the Butler standing in the hands of her creditors to be pro-Bill guaranteed the continuance of the tax of | vided for might be thus stated: seventy five cents on each poll and twenty five | Two and a half and five per cent.

cents on each one hundred dollars worth of stock, property, until the debt was liquidated, and the | War Loan Bonds. 438.000 00 main subject of discussion was whether this Vincennes University Bonds, guarantee should be specifically incorporated Floating debt, estimated at 100,000 00

If the levy and continuance of a specified tax \$3,990,765 33 for the payment of the principal and interest of The conversion suggested can be made within the debt was guaranteed in the original arrange- the next six mouths, and there is no propriety in ment made by the Legislature with the credi- the State appearing to the world as being intors, it would be conclusive evidence that the debted in the sum of seven or eight millions of State and the creditors were looking to the pay- dollars when she has the means in her own ment of the principal sum as well as the interest. hands of reducing it to less than four millions.

and that the State could not, in good faith, in-ENUMERATION AND APPORTIONMENT. definitely postpone the payment of the principal It is not creditable to the State that any pro-But it is equally clear from Mr. Butler's cal- vision of its Constitution, mandatory in its rulations, that he did not expect that the taxes | character and not in conflict with the National which were guaranteed would be sufficient to Constitution, should remain a dead letter bepay the debt by the 19th day of January, 1866, cause of the non action of the legislative departfor, in fact, by his tables, the principal of the ment. If law-makers would have their enact debt could not be paid before 1872 or 1874, and | ments obeyed by the masses they should set an when we take his tables in connection with the example of obedience by a prompt and faithful language of the certificate, " redeemable at any performance of those duties enjoined upon them time after twenty years at the pleasure of the by the higher law contained in the Constitution State," it is manifest that Mr. Butler had no itself. More than fourteen years have elapsed assurance that the principal of the debt would since the adoption of the present Constitution of be paid promptly at the end of the twenty years. | the State, and to this day there are two subjects It turned out, however, that the basis of taxa- on which its language is that of positive comtion was far more favorable to the speedy pay- mand where there has been no corresponding ment of the debt than was contemplated by Mr. obedience-one of these subjects being almost

age increase of taxable property, from that The first of these is the periodical enumeration time until the present, has been, as before stated, of the white male inhabitants above twenty-one which I have caused to be made, will show that this enumeration. The other is the providing of

if the guaranteed rates of taxation had been Houses of Correction and Reformation for maintained, there would be in the Treasury on juvenile offenders. millions eight hundred and ten thousand seven both of these Constitutional mandates in the amount of which will increase this to over \$20,hundred and four dollars and thirty-one cents, order above stated. The Constitution of 1851 (\$4,810,704 31,) after defraying the ordinary provides that the first and second elections of expenses of the State Government, and the in- members of the General Assembly after its terest on the debt from year to year; and it is taking effect shall be according to the apporplied from time to time, as it accrued, to the before the adoption of said Constitution. This purchase of our stocks at their market value, provision gave ample time for making the enuthe whole debt would have been paid by the meration and apportionment required by the organic law of the State. The Constitution thies. It was well understood by Mr. Butler and the says that the General Assembly shall, at its The U. S General Hospital, at Jeffersonville, bondholders in 1846, that these rates of taxation second session after the adoption of this Consti- is one of the most complete establishments of of the transaction, out of which this form of ceeds should be applied to the liquidation of the were all that the State was able to bear at that tution, and every six years thereafter, cause an the kind in the country, and is well adapted to time, or would be able to bear for many years, enumeration to be made of all the white male the purposes of a Soldier's Home. I have writand the language of the certificates, making the inhabitants over the age of twenty one years. ten to the Secretary of War and Surgeon Genprincipal payable "after the end of twenty years It further says that, "the number of Senators eral for information, as to whether the Governat the pleasure of the State," shows that the and Representatives shall, at the session next ment would be willing to turn over this Hospital Legislature entertained doubts whether the following each period of making such enumera- to the State of Indiana to be used in the estab-State would be able to pay promptly at the end tion, be fixed by law and apportioned among the lishment of such an institution, should the State of twenty years, and that they did not intend to several counties according to the number of desire it. The answer when received will be place ber in a situation where, if she failed to white male inhabitants above twenty-one years communicated to the General Assembly. make such payments, she would violate her con- of age in each." The General Assembly of tract, and stand before the world as repudiating | 1853 designed to carry out the first of these provisions by passing an act, approved February In 1852 the Legislature departed from these 24th, 1853, entitled, " An act to provide for the rates of taxation, and reduced the levy to coumeration of all the white male inhabitants twenty cents on each one hundred dollars worth over the age of twenty-one years, in the State rate upon polls was continued until 1865, but for taking the same." In consequence of the levy upon taxable property fluctuated from defects in this law, as I understand the it was never completed, and published, In 1852 the Legislature passed an act and although more than twelve years have creating the State Debt Sinking Fund, and levy- since elapsed, no other act providing for ing a tax of two cents on the one hundred dol an enumeration has been passed. In 1857 the lars "for the reduction and ultimate extinction General Assembly passed an act entitled "An

act to apportion Senators and Representatives This fund was placed under the control of for the next four years " The act was not based three Commissioners, consisting of the Auditor, upon an enumeration of the white male inhabtation till she adopts negro suffrage, etc.

The Message is well written, is in good temper, but contains nothing new. It is a good temper, but contains nothing new. It is a good temper, but contains nothing new. It is a good temper, but contains nothing new. It is a good temper, but contains nothing new. It is a good temper, but contains nothing new. It is a good temper to the payment of the has been enacted in its place, and by common consent, and from the necessity of the case, members of both houses of the General Assem bly are still elected under the provisions of this law which has ceased to exist, and which if in existence has become grossly unjust and unequal by the change in the population of the several counties of the State since 1857. A literal compliance with the Constitution as to enumeration and apportionment is now impossible, but the nearest practicable approach to it should be promptly made. To this end I recommend the passage of an act providing for an enumeration such as is contemplated by the Constitution, to be made in 1866, and another in the year 1871, and another every sixth year after the year 1871. These periodical enumerations should be provided for by a permanent enactment that would require to renewal at the expiration of each period of six years, and to secure its enforcement there should be adequate penalties for any failure of duty on the part of the officers charged with making the enumeration. To meet the present emergency, I further recommend the passage of a law, temporary in its character, making a new

apportionment of Senators and Representatives on the basis of the votes cast at the Presidential election in 1864, such apportionment to continue until a new one can be made based upon the enumeration required by the Constitution. Loan, which had just been authorized, with a Houses of REFORM FOR JUVENILE OFFENDERS. The other particular before alluded to, in tion has hitherto been wholly disregarded, relates to the establishment of Houses of Correction and Reform for Juvenile Offenders. The second section of the ninth article of the

Constitution reads as follows, viz: "The General Assembly shall provide Houses of Refuge for the Correction and Reformation of Juvenile Offenders." In accordance with this humane and enlightened provision, the eighteenth section of the first article further provides that the penal code shall be founded on the principles of reformation,

and not of vindictive justice. It may well be doubted whether the county of punishment for any class of offenders, and whether they should not be solely employed as places of detention of accused persons awaiting trial. Be this as it may, there can be no doubt

as to the duty and policy of speedily establish-The Legislature of 1855, impressed with the propriety of providing a place in which youthful offenders might be confined, uncontaminated by the proximity and examples of old and hardened offenders, authorized the purchase of a tract of land a few miles west of Indianapolis for the express purpose of establishing a House of Reform for juvenile offenders. In pursuance of this authority the land was purchased, but since advantages presented to immigration. then nothing further has been done to carry into execution the provision of the Constitution

be an experiment, numbers of them having been established in other States of the Union, with the most beneficial results. I making provision for such exhibition, and herewith lay before you certain documents in regard to the Fair which I have received from the Secretary of State of the Control of the Secretary of State of the Se recommend that immediate steps be taken for carrying into execution, with the least possible delay, this requirement of the Constitution.

SOLDIERS' RELIEF LAW.

since the adjournment of the General Assembly, should not be levied in the Constitution, and in bout nine hundred thousand dollars (\$900,000) tire uniformity. There is also a want of union loans secured by mortgages on real estate, - formity of construction as to the persons en-"Sir, this attempt to levy an additional tax which, however, could not be made available titled to receive the benefits of the act, the local upon the people by us is all wrong. I believe for several years, owing to the extension of time authorities in some counties, as I am informed, there is virtue enough in the people to settle made by the State to the mortgagors, unless by holding that the soldier's family must be reduced this matter through their representatives in the the issue of a like amount of bourds boaring six to a condition of absolute pauperism, before Legislature, and I much prefer to leave it with per cent interest, which is one per cent less than they can receive the allowance provided for by that which the State receives on the mortgages, the act, while in other counties, relief has been Mr. Walpole followed in a speech, opposing the the bonds to be paid out of the proceeds of the afforded whenever the soldier's family was, in adoption of the original section reported by the mortgages when collected. These bonds dis- the language of the seventh section of the act, Committee, for the reason that he would do posed of to our creditors or others, at par value, otherwise without "sufficient means for their nothing to confirm the contract made by the and the moneys referred to, if promptly invested comfortable support," although they might State with the bondholders unless there was in our stocks, would procure some two millions postess some property or means. The latter is six hundred and fifty thousand dollars (\$2,650, obviously the proper construction, and it is 000) of our stocks, and thus reduce the amount greatly to be regretted that the act should not Mr. Maguire followed in support of the origi- in the hands of our creditors to three unilions have been liberally construed in all parts of the nal section as reported by the Committee, and three hundred and eighty-six thousand and eighty State. There is also some uncertainty as to the referred with approbation to the calculation, dollars and thirty-three cents (\$3,386,080 33). time when the weekly allowance provided by The cash on hand in the Old Sinking Fund the act shall commence, or from what time it draws no interest and has not for many months, shall be computed to those entitled, although the surplus was properly applied from year to and without regard to the conclusion you may in my opinion the Auditor of State has properly year in the purchase of our stocks at the market come to as to the time or mode of paying the decided that the allowance should commence public debt, I carnestly recommend that all the from the date of the passage of the act. So far cash and other assets belonging to the Old Sink- as it may be necessary to continue the provition, with instructions to strike out and insert ing Fund be as speedily as possible invested in sions of the act in force, I recommend the adthat "the present rate of taxation-twenty-five our State stocks, and the somewhat formidable option of such explanatory legislation as may be cents on taxable property and seventy-five cents and costly machinery by which that fund has necessary to remove existing ambiguities, and been managed abolished. The fund thus con- to secure the benefits of the act to all those verted into our stocks can be easily managed by within its scope and spirit, and to prevent the the Auditor of State with equal advantage illiberal construction before alluded to. The to our common schools, and at a saving of no Act contemplates the levy and collection of a the report of the Committee on the subject, and small expense. Of course it will be understood three mill tax on all taxable property and a poll I have no doubt if this course is adopted that in that such stocks as now belong to the Old Sink- tax of one dollar on each taxable poll for each ing Fund, or as may be purchosed by its assets, of the years 1865 and 1866 'I respectfully sugdebtedness of the State will cease to exist. Un- must in some form be kept alive for the benefit gest that under existing circumstances it will der the action of the General Assembly we of the School Fund, so that that fund, which is neither be necessary nor proper that these taxes made inviolable by the Constitution, may not should be levied or collected for the year 1866, believing that the levy for 1865, if properly dis-The financial system of Indiana is complibursed, will be sufficient to furnish all the re-

SOLDIERS' AND SEAMENS' HOME. I earnestly invite your attention to the necessity for the speedy establishment of an Institution in which Indiana soldiers and seamen, disabled by wounds or disease contracted in the service of the United States, shall be cared for accorded to ordinary paupers.

tained in this address, two successive meetings require that it should be done. tary contributions sufficient to place it ulti-

mately on a permanent foundation. At the second of these meetings, held on the 24th day of May last, a temporary organization was effected, the basis of which will be seen by reference to a copy of the proceedings of said

meeting, berewith respectfully submitted. Soon after, applications for relief on the part of disabled soldiers were presented to the officers of the Association, and the Common Council of the city of Indianapolis generously tendered the gratuitous use of the City Hospital buildings to the managers of the Association for a temporary Home, which offer was accepted, with the distinct understanding that its acceptance should not in any degree influence the ultimate location of the Institution, should the effort to place it on a permanent basis be successful. The temporary Home was opened on the seventh day of August last, and the absolute necessity for such an Institution is demonstrated by the fact that already forty-six (46) disabled soldiers have been admitted into the Institution, twenty one (21) of whom, after remaining some time and receiving the best care and medical treatment, have been discharged with the prospect of being sufficiently restored to enable them to care for themselves, and one has died, leaving twenty-four still to be cared for. Of the twenty-four still in the Institution, seventeen are totally disabled, either by old age, disease, or wounds received in battle. The funds received by the Treasurer of the

Home from voluntary contributions, amount in the aggregate to \$4,994 55, in addition to which there are unpaid subscriptions, the estimated 000. It is to be feared that the Institution by voluntary contributions, and in view of this I submit the entire subject to the General Assembly, and respectfully, but earnestly recommend that prompt measures be taken to secure the object in view, feeling assured that it will commend itself to your judgment and sympa

The public interest require that there should part of any Indiana officer. of this agreement. Sound policy requires that the nation. the bond, and making the bond thus acknowl- course of preparation for publication.

such as might avail the principal.

GRAND JURIES. The experiment inaugurated in 1852, of demisdemeanors, has been fully and fairly tested, and I respectfully submit, that the lesson taught has not confirmed the wisdom of this change, in the administration of our penal code. Experience, I think, has clearly demonstrated

ries over one class of misdemeanors, and it is rebels seems to be complete, while every rebel not perceived why the same considerations State has confessed to the irretrievable destrucwhich induced this partial return to the old sys- tion of the institution of slavery. The people tem, do not require a complete restoration of of the South have been beaten and overpowered Inquests of the several counties. I therefore re- ty in slaves ; much of their country has been which a positive requirement of the Constitu- spectfully recommend the restoration of this overrun and made desolate by the march and

jurisdiction. EMIGRATION.

The return of peace will increased the tide of emigration from Europe to the United States. whils'tmany of the brave soldiers of Indiana, who have been campaigning in the Southern States. will doubtless seek new homes in the regions through which they have marched. These considerations render it of the highest importance that steps should be taken to attract to this State the largest possible number of foreign emi-

To this end, I repeat the recommendation for the establishment of a Bureau of Emigration, contained in my last regular message.

WORLD'S FAIR. In this connection I call your attention to the subject of the World's Fair, or "Universal Exposition," to be opened at Paris, France, on the 1st of April, 1867. It is eminently desirable that specimens of the agricultural productions, manufacturers, mechanical improvements, and mineral wealth of Indiana, should be there ex-

hibited. They would constitute the best advertisement, to the people of the old world, of the great resources, progress, and wealth of the State, the energy, intelligence, and refinement of her people, and the superior inducements and I recommend to your consideration the pro-priety of making provision for such exhibition,

I again respectfully invite the attention of the have arisen in the construction of the act, General Assmbly to the damages occasioned to inserted in the Constitution which shall secure The Board of Commissioner of the Old Sink- and although the Auditor of State has some of our citizens, by the invasion of the the application of this overplus to the exter- ing Fund will probably have on hand, in cash, taken great pains to prevent a diver- State by John Morgan, in 1863. I have seen guishment of the principal of the State debt." on the 1st day January, 1866, the sum of six sity of action in taking the enumeration no cause for changing the views expressed on this contemplated by the act, I regret to say his subject in my regular message delivered at the

community, being essential to the preservation tion of Congress, which may confer suffrage of a free government, it shall be the duty of the upon whomsoever it pleases. General Assembly to encourage by all suitable | The subject of suffrage is, by the National means, moral, intellectual, scientific, and agri- Constitution, expressly referred to the determicultural improvement; and to provide by law for | nation of the several States, and it can not be a general and uniform system of common taken from them without a violation of the schools, wherein tuition shall be without charge, letter and spirit of that instrument. population in our midst, it is our interest, inde- negro suffrage. educate and elevate that population. Au igno- just emerging from the barbarism of slavery are rant and degraded element is a burden and not qualified to become a part of our political injury to society, whatever may be its color. It system, and take part, not only in the govern-

and the people of the North are requiring the upon him any substantial benefit. By some it people of the South to make provision for edu- is thought that suffrage is already cheap enough catin their colored population, and protecting in this country; and the immediate transfer of them in the enjoyment of civil rights, that the more than half a million of men from the bends

applied to their education by the establishment afford to them the ordinary sudicial and maintained during the continuance of the of separate schools, under such suitable provis- machinery for the protection of their disabilities under which they are laboring. Jus ions and regulations as may be deemed proper. civil rights, provide for their education, and thus tice, humanity, and the honor of the State for- I would not recommend that white and colored enable them to qualify themselves for the bid that these brave men should be permitted to childred be placed together in the same schools, higher political duties of the citizen. It is not suffer for the comforts of life, or be compelled believing, as I do, in the present state of public less vital to their interests that the Constituto receive from the public such assistance as is opinion, that to do so would create dissatisfactional amendment be adopted, which not only On the 15th day of May last, for the purpose the schools. I am informed that a system can but confers upon Congress the power of legislaof enlisting the sympathies of the people in the establishment of such an Institution, I issued an education of colored children can be successfully rights; and these things, among others, the address, of which a copy is berewith respectfully maintained in various parts of the State, and President of the United States has imposed as submitted. In pursuance of the invitation con- believe that justice, humanity, and sound policy precedent conditions in the work of reorganiza-

were held at Indianapolis for the purpose of ef- By the school law of 1865, negroes and mu- govern these States by military authority, as feeting a temporary organization of a Home for lattoes are not taxed for the support of common in a state of war, until they have been disabled Indiana soldiers and seamen, and to in- schools, but if colored schools should be estab- complied with. Time, and the influence of the 66.685 00 augurate a system for the collection of volun- lished this law should be so amended as to new conditions by which they are surrounded will subject them to like taxation with white persons elevate the condition of one race, and soften the for educational purposes. TESTIMONY OF COLORED PERSONS.

session, I held the following language in regard to the admission of the testimony of colored persons in cases in which white persons are par-

"The statute which excludes negroes from testifying in courts of justice, in cases in which whith persons are parties, is, in my opinion, a stigma upon the humanity and intelligence of the State. The idea that the white race must be protected against the colored, by imposing on them this disability, is absurd, and has been made the cover and protection for much crime and injustice. As the law stands, murder may be perpetrated with impunity by white persons in the presence only of colored witnesses, and it is well known that negroes are often employed by white persons as the instruments of both races demand that this disability be removed; and if the fact of color affects credibility, that can be referred to the court and jury as in other cases, and would undoubtedly redishonored by the retention of a law so repugnant to the spirit of the age, and dictates of

common sense." I can add nothing to the force of what I have before said, but desire again to earnestly recommend the repeal of this obnoxious statute. It is due, however' to the State of Illinois, to say that her statute book is no longer disgraced by cannot be placed upon a permanent foundation of being the only State in the North that re-

upon which the citizens of the State may justly addition of two fifths. pride themselves. amount of voluntary contributions rendered, Inby Indiana alone in this great contest would of having in their midst four and a half millions have done credit to a first-class nation, mea- of negroes. This provision was the chief comsured by the standard of previous wars, not a promise which our fathers made with the instiregiment, battery or battalion from this State | tution of slavery, and although, through a sense and no disaster of the war can be traced to any quiesced in by the Northern people, yet it has

be some legislation on the subject of offi- The endurance, heroism, intelligence and passed away, the provision should be so changed cial Bonds to prevent the sureties therein from skill of the officers and soldiers sent forth by as to suit the altered condition of the country. setting up, as a defense to actions brought on Indiana to do battle for the Union, have shed and do justice to every part of the nation. If such bonds, some unperformed outstanding a lustre on our beloved State of which any peo- it were so amended as to apportion repreagreement between them and their principals. ple might justly be proud. Without claiming sentation and political power among Under existing decisions a surety in an Official superiority over our loyal sister States, it is but the several States according to the actual num-Bond, when sued thereon, may plead, as a de- justice to the brave men, who have represented ber of male voters over the age of twenty one fense, that when he signed the bond the princius on almost every battle-field of the war, to pal promised him that ne would procure some other person to execute it as a co-surety, and front rank of those heroic States which rushed State, or class of States, to increase or double that the bond was filed and approved in violation to the rescue of the imperiled Government of their political power by the presence in their

when Official Bonds are properly approved, and filed in the proper office, there should be no State for all terms of service in the armies of ducement would be presented to the several doubt as to their binding obligation on all the the Union, exceeds two hundred thousand men, States, in order to enlarge their power in the parties executing the same. I respectfully re-commend the passage of a law, providing that years; and in addition to this not less than fifty every principal and surety in an Official Bond thousand State militia have from time to time tionality, as rapidly as might be deemed conshall be required, before such bond is approved, been-called into active service to repel rebel to acknowledge its execution before some officer | raids and defend our southern border from inva- | By the census of 1860, the filteen slave States authorized to take the acknowledgement of sion; all of which will be fully shown in the were allowed eighty-four (84) members of Condeeds, the acknowledgement to be certified on official report of the Adjutant General, now in gress, because of the representation of three-

Since the adjournment of the Legislature the existing basis. that where it is not made the sworn duty of civial war which had desolated our country has some properly constituted tribunal to make terminated in the complete triumph of the Govdiligent inquiry and true presentment, as to the minor offences against the penal code, these of ... The evacuation of Richmond, and the capiulafences will go unpunished, and thereby beget a tion of Lee's army, were rapidly followed by the disregard of law, and result in the increase of surrender of every other rebel army in the field, and irregular guerrilla warfare almost entirely The General Assembly has already found it passed away in a few weeks. The suppression necessary to restore the jurisdiction of Grand Ju- of the rebellion and the subjugation of armed the jurisdiction so long exercised by the Grand | in the field ; they have wholly lost their properravage of great armies; poverty and wretchedness have been brought home to large and although they may not be accepted this classes who before had lived in wealth and lux- year, or even the next, yet that they ultimately ury ; large numbers of their population have will be, I have no doubt. And if the work of reperished in the conflict, and there is prevailing organization shall be successfully completed among them great exasperation and bitterness within the same period which was required to which time alone can assuage.

The great majority, however, appear to regard the verdict of the war as irreversible, and to promptly accept the situation as one they cannot modify or put aside. But while the heresy of State sovereignty has been extirpated, and the questions involved in the conflict settled by the arbitrament of arms, it is yet of the great est importance to the nation that these questions be adjudicated and determined by the highest udicial tribunal, which might most appropriately be done in the trial, for high treason and other atrocious crimes, of the chief instigator and head of this most wicked and bloody rebellion:
It should be definitively established as a principle in our Constitution, both by judicial decision

He has taught the world a lesson before which and example of punishment, that rebellion is treason, that treason is a crime which may not be committed with impunity; and that there is of battle had passed, he could lay aside his arms, but one sovereignty, which resides in the col. put off the habiliments of war, and return with lective and undivided people of the United

The work of reorganizing the Governments of the rebel States, and bringing them again into practical relations with the Government and people of the United States, is now upon the country, and demands for its successful performance the greatest wisdom, patience, and

But while it is important that the work of re-States.

EDUCATION.

The subject of Education will doubtless have your early and careful consideration. I cannot antess for the future integrity and peace of the

refrain from again recommending the speedy es. Republic. The principal discussions which arise tablishment of a State Normal School. Com- on this subject pertain to the future status of petent and skilful teachers are essential to a the negro in the Southern States. By some it good system of education, and these cannot be is urged that conferring suffrage upon him shall supplied in sufficient numbers to meet the in- be made a condition of reorganization, or in creasing wants of our people, without an insti- other words that the States lately in rebellion tation whose buisness it shall be to train teach- shall not be permitted to resume their practical relations with the Government, except upon the terms of first conferring the rights of suffrage upon their freedmen. As to the manner which this measure shall be accomplished the friends of it differ. Some are in favor of persistently expluding the members of Congress from the Southern States, until negro suffrage has been incorporated into their several State onstitutions. Others assume that the States lately in rebellion are no longer members of the Union, but have forfeited and lost their character as States, and are in fact held as conquered The first section of Article Eight of our State provinces, and, like unorganized territories Constitution provides as follows: "Knowledge which may have been acquired by the Governand learning, generally diffused throughout a ment, are under complete control and juristic-

and equally open to all." The language of this But without stopping to discuss theories or provision is very broad, and would seem, in questions of constitutional law, and leaving letter and spirit, to embrace all the children of them out of view, it would, in my opinion, be the State without regard to color. Surely it unwise to make the work of reconstruction de-

cannot be denied that, as we have a colored pend upon a condition of such doubtful utility as pendent of those considerations of natural jus- It is a fact so manifest that it should not be tice and humanity which plead so strongly, to called in question by any, that a people who are

therefore becomes a matter of sound political ment of themselves and their neighbors, but of economy, as well as absolute justice, that what- | the whole United States. So far from believing ever colored population we may have should be that negro suffrage is a remedy for all our naeducated, and enabled to become intelligent, tional ills, I doubt whether it is a remedy for industrious, and useful members of the commu- any, and rather believe that its enforcement by nity. It is also especially important at this Congress would be more likely to subject the time, when the President of the United States negro to a merciless persecution than to confer Northern States should set the example, and of slavery, with all the ignorance and degradapractice what they preach, by extending to their tion upon them which the slavery of generasmaller colored population the rights and bene- tions upon Southern fields has produced, would fits which they demand for them from others. be a declaration to the world that the exercise The laws of Indiana exclude colored children of American suffrage involves no intellectual or from the common schools, and make no provis- moral qualifications, and that there is no differion whatever for their education. I would ence between an American freeman and an therefore recommend that that the laws be so American slave, which may not be removed by amended as to require an enumeration to be a mere act of Congress. What is far more immade of the colored children of the State, and portant to the freedmen than suffrage is, such a portion of the School Fund as may be in that their several States shall give them proportion to their number, be set apart and the right to testify in courts of justice, tion and conflict, and impair the usefulness of forever prohibits slavery throughout the nation, prejudices and asperities of the other, and will accomplish what legislation and violent political In my message to the Legislature at the last changes cannot. The inevitable presence of both races upon the same soil, the demands and necessities of capital and labor, and the uncess of time, I cannot doubt, force a reciprocity of rights and privileges. The institution of slavery was so closely intertwined about the foundation of society in the Southern States that, when it was destroyed, society was uproofof and broken to pieces. The process of its reconstruction is but beginning, but it is very certain that the new structure will differ, in most essential particulars, from the old, Free labor, free speech and free schools, will come into it as new and powerful elements of change and progress and large emigration from the Northern

States and from Europe, bringing commerce, manufactures and improved agriculture, will crime and fraud, because of their inability to exert a modifying and beneficial influence, the testify in courts of justice. The interests of effect of which can hardly be over-estimated. Another amendment, not, only conducive to the interests of the freedmen, but demanded by the rights and interests of the white people of the North, should be made, changing the basis ceive due consideration. Indiana and Illinois of representation in Congress and the apportionare the only free States whose statute books are | ment of political power, among the several States. The present provision in the Constituiton of the United States, concerning this, reads as follows: " Representatives and direct taxes shall be apportioned among the several States, which may be included within this Union, by adding to the number of free persons, including those that may be bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons." The phrase,

three-fifths of all other persons" was a periphrastic description of the slave population, and gave representation for three-fifths of their number. By the abolition of slavery this population is The part which Indiana has taken in the war | added to the "number of free persons," and for the suppression of the rebellion, is a matter | thus increase the basis of representation by the

The inequality produced between the several In the number of troops furnished, and in the States by this form of representation, is too palpable to require argument. By its operation diana, in proportion to her proportion and eight millions or white people in the Southern wealth, stands equal to any of her sister States. States, hold, and exercise political power, full It is also a subject of gratitude and thankful- sixty per cent. greater than an equal number of ness that, whilst the number of troops furnished white people in the Northern States, by reason

brought reproach upon our national flag, of its great injustice, it has been impatiently acwant of fidelity, courage or efficiency on the | been carried out in good faith; but now that slavery, the foundation of this compromise, has

midst of a population which they themselves

fifths of their slaves, and now that the slaves edged as binding, to all intents and purposes, Since the end of the war, all Indiana troops are made free, and the other two-fifths added to upon such surety as it is upon the principal, and have been mustered out of service except eight their basis of representation, they would be endeclaring that as between the State and the teen regiments of infantry, and three regiments titled to fourteen members more, although persurety, such surety shall be deemed and taken of cavalry. Every effort consistant with the into be a principal, and expressly prohibiting him | terest of the Government has been made by the | place anterior to the year 1870. It the negro from setting up any defense thereto, other than | Executive Department of the State to procure | population was equally diffused throughout all the early muster ont of these remaining Indiana | the States, this inequality would not exist, but regiments, and assurances have been received the fact is, it is not so diffused, and the probathat orders for their discharge will be issued as bility is that the concentration in the Southern soon as their services can be dispensed with. For States will become greater from year to year by priving the Grand Juries of jurisdiction over other interesting details relative to our troops the emigration thither of the colored population you are respectfully referred to a communication of the North. According to the census of 1860, from the Adjutant General herewith submitted. the Southern States upon a white basis would have been entitled to sixty six members of Congress, instead of eighty-four necording to the

Should such an amendment be passed by the requisite majorities through the Congress of the United States, before your final adjournment, I would most respectfully, but earnestly recommend its immediate ratification on your part. In conclusion upon this subject, I am not of the opinion that the Herculean work of reconstruction will be secomplished at one time, by any general and sweeping process, but that it will proceed State by State, as each one shall conform to the requirements of the Government. and show itself loyal and prepared to resume its practical relations in the Union. The conditions which have been imposed upon these States by the President, are not only reasonable and legitimate, but are dictated by justice and a wise foresight for the future of the Republic.

put down the rebellion, it will be within the limit of my expectations. The war has established upon imperishable foundations, the great fundamental truth of the unity and indivisibility of the nation. We are many States but one people, having one undivided sovereignty, one flug, and one commen destiny. It has also established, to be confessed by all the world, the exalted character of the

He has taught the world a lesson before which it stands in amazement, how, when the storm cheerfulness to the gentle pursuits of peace, and show how the bravest of soldiers could become the best of citizens.

To the Army and Navy, under the favor of Providence, we owe the preservation of our country, and the fact that we have to-day a place, and the prondest place, among the na-

Let it not be said of us, as it was said in olden time, that "Republics are ungrateful."
Let us honor the dead, cherish the living, and preserve in immortal memory the deeds and virtues of all, as an inspiration for cou